


FILED IN CHAMBERS
U.S.D.C. Atlanta

MAY 30 2008

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JAMES N. HATTEN, Clerk
By  Deputy Clerk

JOHN DOE,

Plaintiff,

v.

OFFICER WOOTEN, in his
individual capacity, WARDEN R.
WILEY, in his individual and
official capacities, RICK
STOVER, in his individual and
official capacities, and FEDERAL
BUREAU OF PRISON
DIRECTOR HARLEY LAPPIN,
in his official capacity,

Defendants.

CIVIL ACTION NO.
1:07-CV-2764-RWS

AMENDED CONFIDENTIALITY ORDER

The Court hereby vacates its Order of November 15, 2007 [7] and substitutes in its place this Order. The Court **ORDERS** as follows:

1. "Confidential Information" as used in this Amended Protective Order (the "Order") shall mean the portion of any documents,

testimony, or materials containing Plaintiff's name or nickname(s); Plaintiff's prisoner identification number; other biographical information about Plaintiff; or any other information from which Plaintiff's true identity could be derived or ascertained.

2. Any document, testimony, or other material containing Confidential Information that is produced or given in this action must be designated as "CONFIDENTIAL." Portions of testimony shall be designated as "CONFIDENTIAL" by the designating party by letter to all other parties sent within thirty days of the receipt of a certified transcript, identifying by line and page number all passages containing Confidential Information. Until thirty days after a certified transcript is available, the entirety of a transcript shall be treated as CONFIDENTIAL.
3. Except upon order of the Court or express written consent of counsel of record for each party, Plaintiff's identity shall not be provided, revealed, discussed, or disclosed to any person or entity other than the following:

(a) Parties to this action; or

(b) Attorneys representing a party to this action, and their paralegals, secretaries, administrative assistants, and other legal support staff;

(c) Experts, consultants, or investigators retained, employed, or used by any party in connection with this action, or custodians of records from whom requests for records are requested; or


(d) as authorized by Paragraph 5.

4. Prior to the disclosure of Confidential Information and/or documents, testimony, or materials designated as “CONFIDENTIAL” to any person designated under Paragraph 3(c), such person shall be provided a copy of this Order and shall be required to execute the undertaking attached hereto as Appendix A (“Agreement To Be Bound”). Counsel seeking the disclosure of Confidential Information from a person designated under Paragraph 3(c) shall retain the executed Agreement To Be Bound through the course of this litigation.
5. Plaintiff’s name and prisoner identification number may be used

for purposes of investigation and discovery where a party in good faith believes it is necessary to provide such information to obtain the information or discovery sought. However, in seeking such information and discovery, there shall be no disclosure that Plaintiff is a party to a lawsuit against any of the named Defendants, the United States, or the United States Bureau of Prisons, unless absolutely necessary to the procurement of certain official or governmental records subject to the requirements of Paragraph 4.

6. Any document, testimony, or other material containing Confidential Information that is filed with the Court in this action, or in any other court having jurisdiction over this action, shall be filed with the Confidential Information redacted.
7. The restrictions set forth in the preceding paragraphs also shall apply to information that a party acquires from a third party lawfully possessing such information or that lawfully was possessed by a party prior to discovery in this action.

SO ORDERED this 30th day of May, 2008.


RICHARD W. STORY
UNITED STATES DISTRICT JUDGE

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APPENDIX A: Agreement To Be Bound

The undersigned hereby acknowledges that he/she has read the Amended Confidentiality Order dated May 30, 2008, entered in the captioned action (a copy of which is attached hereto and that he/she agrees to be bound by the terms of the Order. The undersigned understands the Order prohibits him/her from disclosing the Confidential Information to any other person, firm or

concern except for purposes of prosecuting or defending the above-captioned action.

Signature

Date

Printed Name, Job Title and Address